## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

## **CALUMET RIVER FLEETING, INC**

and

Case 13-CA-079800

## INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150

## ORDER<sup>1</sup>

The Employer's petition to revoke subpoena duces tecum B-566196 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas.<sup>2</sup> See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., October 10, 2012.

MARK GASTON PEARCE, CHAIRMAN

BRIAN E. HAYES, MEMBER

RICHARD F. GRIFFIN, JR., MEMBER

<sup>&</sup>lt;sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>&</sup>lt;sup>2</sup> In denying the Employer's petition to revoke the subpoena duces tecum, we consider the subpoena as modified by the Region's limitations on Paragraphs 1, 2, and 3 of the subpoena, as stated in its opposition to the petition to revoke the subpoena duces tecum.